



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,434	11/26/2003	Pingyu Zhong	26050-709.501	8676
210	7590	11/01/2006	EXAMINER	
MERCK AND CO., INC P O BOX 2000 RAHWAY, NJ 07065-0907			TUNGATURTHI, PARITHOSH K	
			ART UNIT	PAPER NUMBER
			1643	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

10/723,434	11/26/2003	PINGYU ZHONG	26050-709.501
------------	------------	--------------	---------------

EXAMINER

TUNGATURTHI, PARITHOSH K.

ART UNIT	PAPER
----------	-------

1643	20061026
------	----------

DATE MAILED: 10/26/2006.

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 09/05/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): explained below. See 37 CFR 1.111

The Restriction/Election mailed on 05/30/2006 (page 3, lines 1-3) indicates that the applicant is required to select ONE SEQ ID for Vh and ONE SEQ ID for VI; because the different SEQ IDs are in fact patentably distinct from each other. However, in the response filed 09/05/2006, applicants have proposed four groups consisting of more than one SEQ ID NO for VI or Vh or both. The applicants have provisionally elected Group I (as proposed by the applicant); which consists of one SEQ ID NO for VI, but 7 SEQ ID NOs for Vh which are patentably distinct from each other. Hence, the applicant is once again requested to select ONE SEQ ID for Vh and ONE SEQ ID for VI for the purposes of examination.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parithosh K. Tungaturthi whose telephone number is 571-272-8789. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry R. Helms, Ph.D. can be reached on (571) 272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EXAMINER
Parithosh K. Tungaturthi

SHEELA HUFF
PRIMARY EXAMINER